

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

- v. - :

AFFIRMATION

08 Cr. 156

MIGUEL ORLANDO-MENA, :

a/k/a "Miguel Mena," :

a/k/a "Noel Mena," :

:

Defendant.

- - - - - x

SOUTHERN DISTRICT OF NEW YORK, ss:

REBECCA A. ROHR, being duly sworn, deposes and says that she is an Assistant United States Attorney in the Office of Michael J. Garcia, United States Attorney for the Southern District of New York; that she is in charge of the above-entitled matter; that one MIGUEL ORLANDO-MENA, a/k/a "Miguel Mena," a/k/a "Noel Mena," now incarcerated at the Marcy Correctional Facility, P.O. Box 5000, Marcy, New York, has been charged by indictment with violating Title 8, United States Code, Section 1326(a) and (b)(2).

By this application, the Government seeks a writ of habeas corpus ad prosequendum so that MIGUEL ORLANDO-MENA, the defendant, can be brought before this Court to be available for the prosecution in the matter captioned United States v. Miguel Orlando Mena, 08 Cr. 156. No previous application for similar relief has been made.

WHEREFORE, your deponent respectfully requests that a

writ of habeas corpus ad prosequendum issue, directing the Warden of the Marcy Correctional Facility, the United States Marshal for the Southern District of New York, or any authorized law enforcement officer, to produce the above-named defendant to the custody of the Warden of the Metropolitan Correctional Center or the person in charge there, to be available for prosecution in federal court in the Southern District of New York, as soon as the defendant is available, and to appear as necessary thereafter in that case, until after MIGUEL ORLANDO-MENA has been discharged or been convicted and sentenced, at which time to return him to the Marcy Correctional Facility, P.O. Box 5000, Marcy, New York.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT, PURSUANT TO TITLE 28, UNITED STATES CODE, SECTION 1746.

/s/ Rebecca A. Rohr
Rebecca A. Rohr
Assistant United States Attorney
(212) 637-2531

Dated: February 26, 2008
New York, New York

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

MIGUEL ORLANDO-MENA,
a/k/a "Miguel Mena," a/k/a
"Noel Mena,"

Defendant.

AFFIRMATION IN SUPPORT OF
WRIT OF HABEAS CORPUS AD PROSEQUENDUM

08 Cr. 156

(Title 8, United States Code,
Sections 1326(a) and (b)(2))

MICHAEL J. GARCIA
United States Attorney.
